

REMARKS

Upon entry of this Amendment, claims 1-29 are all the claims currently pending in the application. Claims 26-29 have been added. Claims 3-7 and 10-25 have been withdrawn from consideration as being drawn to a non-elected invention.

A provisional election was made "with traverse" to prosecute the invention of species "VIII," corresponding to Figures 10 & 11, and claims 1 and 8-10. While the Office Action reflects that species "VII" was elected for prosecution, the Examiner indicated during a telephone interview on July 10, 2003, that this was a mistake on his part. That is, the Examiner examined species "VIII," but mistakenly stated, in the Office Action, that species "VII" was elected and examined.

With respect to the claim rejections, claims 1, 2, and 8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Gelardi et al., USP 4,986,491 ('491) and claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Gelardi et al. ('491) in view of Saito, USP 4,290,567 ('567). For the reasons described below, Applicant traverses these rejections. Also, as discussed below, Applicant requests that the Election of Species Requirement at least be modified to account for the fact that, contrary to the Examiner's position, there is at least one generic claim, in particular, claim 1, as discussed below.

I. Claim Rejections under 35 U.S.C. §§ 102 & 103

Summary

Independent claim 1 defines a new and non-obvious recording media cartridge comprising, *inter alia*, a reel presser spring supported on an inner surface of an upper half of a

Interview
record
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